



Arlington Conservation Commission

Date: Thursday, July 21, 2022

Time: 7:00 PM

Location: Conducted by Remote Participation

Pursuant to State Legislation suspending certain provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the July 21, 2022, public meeting of the Arlington Conservation Commission shall be physically closed to the public to avoid group congregation. The meeting shall instead be held virtually using Zoom. Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page.

Agenda

1. Administrative
 - a. Approval of June 16th, 2022, Meeting Minutes
2. Updates
 - a. Park & Recreation Commission Liaison
 - b. Water Bodies Working Group
 - c. Tree Committee Liaison
3. Discussion
 - a. Eagle Scout Daniel Hintz will present on a project to construct an extension of the wooden stairway at Window on the Mystic.
 - b. Documents: 36 Peabody Road Map and Photos

D. Morgan will ask the Commission whether they will accept a proposal for removal of invasive trees and native replacements within the 100' Buffer Zone and Adjacent Upland Resource Area to Spy Pond at 36 Peabody Road.
 - c. N. Stevens and D. Morgan will request the Commission's input on Minor Activities and Riverfront Area Exemptions (under 310 CMR 10.02(2)(b)2) and the standard conditions included with Notices of Intent, respectively.
4. Hearings

Request for Determination of Applicability: 429 Mystic Street

Documents: 429 Mystic Street RDA Package

This public hearing will consider a Request for Determination of Applicability for a deck installation at 429 Mystic Street. Work is proposed to be conducted within the 100-foot Buffer Zone and Adjacent Upland Resource Area to Upper Mystic Lake as well as Bordering Land Subject to Flooding (FEMA Zone AE).

Certificate of Compliance: 34 Dudley Street (Continued)

Documents: 34 Dudley Street COC Package

The Commission is expected to vote to continue this hearing to the August 4, 2022, meeting.

This public hearing will consider a Request for Certificate of Compliance by Joseph R. Porter of VTP Associates, Inc., for the completed redevelopment at 34 Dudley Street (DEP #091-0309).

Notice of Intent: 34 Dudley Street (Continued)

This application was first heard on March 3, 2022. The hearing has been continued at the applicant's request. The commission requested the applicant address comments by the town engineer concerning stormwater management. The Commission is expected to vote to continue this hearing to the August 4, 2022, meeting.

This public hearing will consider a Notice of Intent to construct a five-story self-storage facility at 34 Dudley Street and remove a failing retaining wall on the adjacent Town-owned parcel at 0 Grove Street. As proposed, the project will result in impacts within the Riverfront Area to Mill Brook, 100-foot Adjacent Upland Resource Area, and buffer zone to Bank.



Town of Arlington, Massachusetts

Park & Recreation Commission Liaison

Summary:

Park & Recreation Commission Liaison



Town of Arlington, Massachusetts

Water Bodies Working Group

Summary:

Water Bodies Working Group



Town of Arlington, Massachusetts

Eagle Scout Project at Window on the Mystic

Summary:

Eagle Scout Daniel Hintz will present on a project to construct an extension of the wooden stairway at Window on the Mystic.



Town of Arlington, Massachusetts

36 Peabody Road Tree Removal

Summary:

Documents: 36 Peabody Road Map and Photos

D. Morgan will ask the Commission whether they will accept a proposal for removal of invasive trees and native replacements within the 100' Buffer Zone and Adjacent Upland Resource Area to Spy Pond at 36 Peabody Road.

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	36_Peabody_Road.pdf	36 Peabody Road Map
▢	Reference Material	36_Peabody_Road_Trees.jpeg	36 Peabody Road Trees Photo #1
▢	Reference Material	36_Peabody_Road_Trees_2.jpeg	36 Peabody Road Trees Photo #2
▢	Reference Material	36_Peabody_Road_Trees_3.jpeg	36 Peabody Road Trees Photo #3











Town of Arlington, Massachusetts

Request for Determination of Applicability: 429 Mystic Street

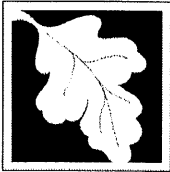
Summary:

Documents: 429 Mystic Street RDA Package

This public hearing will consider a Request for Determination of Applicability for a deck installation at 429 Mystic Street. Work is proposed to be conducted within the 100-foot Buffer Zone and Adjacent Upland Resource Area to Upper Mystic Lake as well as Bordering Land Subject to Flooding (FEMA Zone AE).

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	429_Mystic_Street_RDA_Package.pdf	429 Mystic Street RDA Package



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Arlington
City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Don Westwater & Kathy Caray
Name

E-Mail Address

429 Mystic St.
Mailing Address

Arlington
City/Town

MA
State

02474
Zip Code

781 454 9143
Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

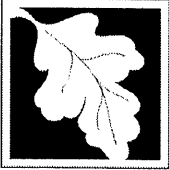
B. Determinations

1. I request the Conservation Comm. make the following determination(s). Check any that apply:
Conservation Commission

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Arlington
Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

City/Town

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

729 Mystic St.

Street Address

Arlington

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Lake front ~ 25' from water line and

88" above water line

- c. Plan and/or Map Reference(s):

Title

Date

Title

Date

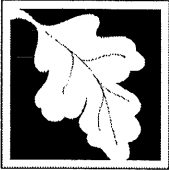
Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Install a deck surrounding a birch tree.

Railing on lake side where distance from deck
exceeds 30" to ground - per building code.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

City/Town _____

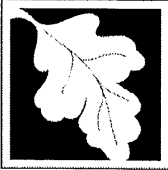
C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

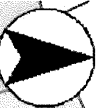
Name Kathy Carey
Mailing Address 429 Mystic St.
City/Town Arlington
State MA Zip Code 02474

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant Kathleen Carey Date 6/18/22

Signature of Representative (if any) _____ Date _____



436

432

428

422

429

423

Upper
Mystic
Lake

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

67

134 ft

Printed on 06/23/2022 at 12:04 PM

Planning and Community Development



- Building
- Elevation Contour (2ft)
- Wetland 1
- Wetland Regulated Br
- Wetland Regulated Ri
- FEMA 1% - 100 Year
- FEMA Floodway
- Parcels
- MA Highway
- US Interstate
- Numbered Route
- Abutting Towns
- Town Boundary
- Cemetery - Roads
- Road1
- Road2
- Road3
- Road4
- Pavement Markings
- Impervious Surface - f
- Street
- Sidewalk
- Driveway
- Parking Lot
- Bike Path
- Roads - For Large Sca
- Roads - For Small Sca
- Local Road
- Master Plan Base Map
- Water Line
- Water Body

National Flood Hazard Layer FIRMette



71°9'35"W 42°26'13"N



Legend

SEE THIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, A99 With BFE or Depth Zone AE, A99, VE, AR Regulatory Floodway
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OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone 1) Future Conditions 1% Annual Chance Flood Hazard (Zone X) Area with Reduced Flood Risk due to Levee. See Notes. Zone X Area with Flood Risk due to Levee Zone D
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OTHER AREAS	NO SCREEN Effective LOMIRs Area of Undetermined Flood Hazard Zone
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall

OTHER FEATURES	202 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
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MAP PANELS	Digital Data Available No Digital Data Available Unmapped
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The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/23/2022 at 12:01 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRMette panel number, and FIRMette effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Abington
Mass
Water Dept
18 of 25
Wetlands

Wetland - Regulated Buffer
Wetland - Regulated River
Elevation Contour (2ft)

Buildings
Master Plan - Town Bound
Master Plan Base Map - St

Parcels - For Gray Backen
Highways - Mile
US Highway
State Highway
Pavement Markings

Intrusive Surface - For 3
Street
Steepbank
Steepbank
Ditchway
Bank Rd Ltd
Bank Rd Ltd

Roads - For Large Scale (1:
Roads - For Small Scale (1:
Main Road
Local Road

Master Plan Base Map - M
Master Plan Base Map - W
Master Plan Base Map - W

Town Boundary - Gray 3ac

The data shown on this site are
provided for informational and
planning purposes only. The
Town and its contractors are not
responsible for the misuse or
misrepresentation of the data.

0 76 152 ft

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Proposed Deck

429 Mystic

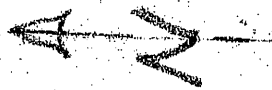
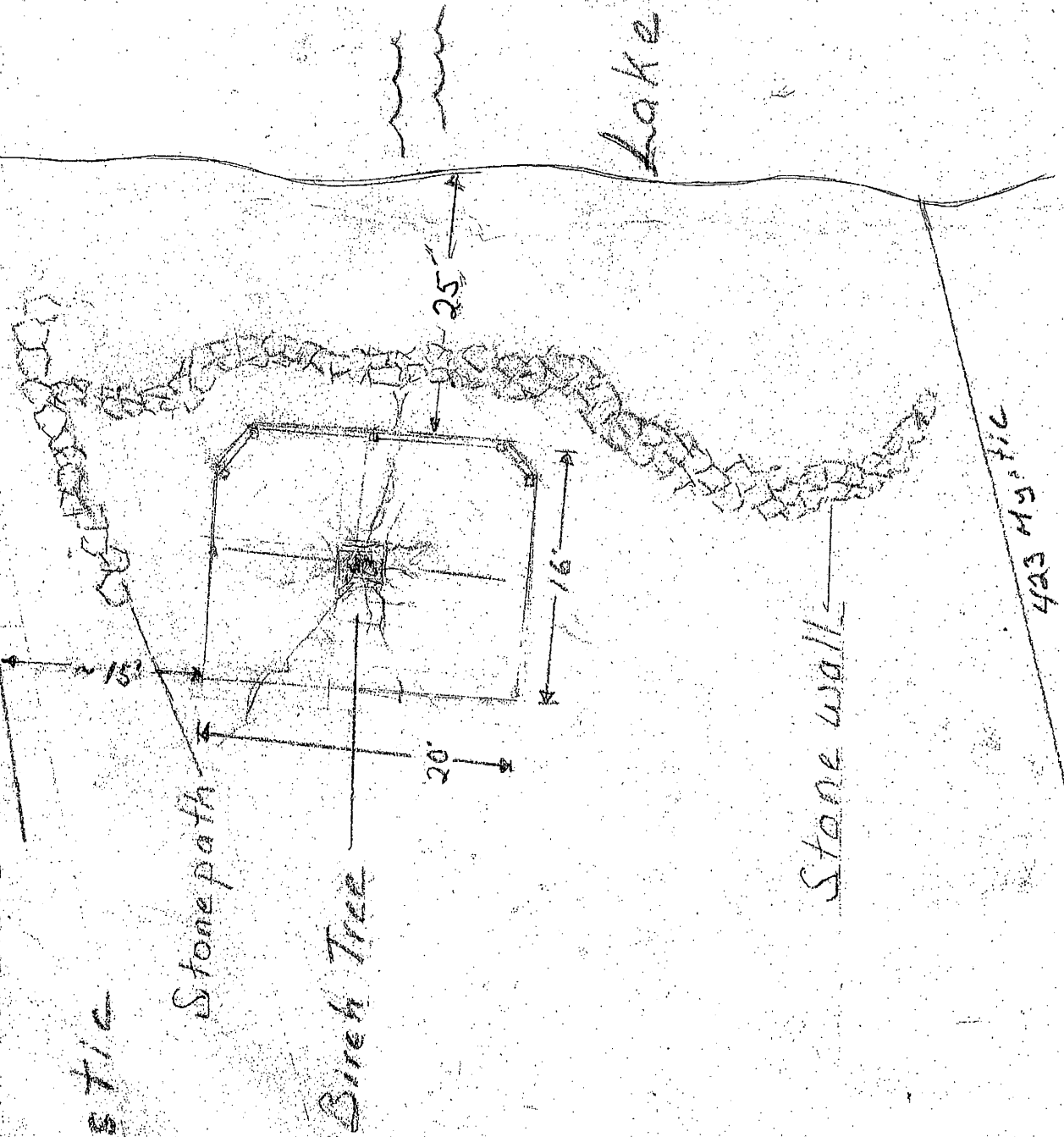
Elevation



Proposed Deck

429 Mystic

441 Mystic





REGISTRY OF DEEDS DIVISION COMMONWEALTH OF MASSACHUSETTS

Bylaw Filing Fees and Transmittal Form

Rules:

1. Fees are payable at the time of filing the application and are non-refundable.
2. Fees shall be calculated per schedule below.
3. Town, County, State, and Federal Projects are exempt from fees.
4. These fees are in addition to the fees paid under M.G.L. Ch. 131, s.40 (ACT).

Fee Schedule (ACC approved 1/8/15):

\$	No./Area	Category
150-		(R1) RDA- \$150 local fee, no state fee
		(N1) Minor Project - \$200 (house addition, tennis court, swimming pool, utility work, work in/on/or affecting any body of water, wetland or floodplain).
		(N2) Single Family Dwelling - \$600
		(N3) Multiple Dwelling Structures - \$600 + \$100 per unit all or part of which lies within 100 feet of wetlands or within land subject to flooding.
		(N4) Commercial, Industrial, and Institutional Projects - \$800 + 50¢/s.f. wetland disturbed; 2¢/s.f. land subject to flooding or buffer zone disturbed.
		(N5) Subdivisions - \$600 + \$4/l.f. feet of roadway sideline within 100 ft. of wetlands or within land subject to flooding.
		(N6) Other Fees - copies, printouts; per public records law
		(N7) Minor Project Change - \$50
		(N8) Work on Docks, Piers, Revetments, Dikes, etc - \$4 per linear foot
		(N9) Resource Boundary Delineation (ANRAD) - \$1 per linear foot
		(N10) Certificate of Compliance (COC or PCOC) - No charge if before expiration of Order, \$200 if after that date.
		(N11) Amendments - \$300 or 50% of original local filing fee, whichever is less.
		(N12) Extensions -
		a. Single family dwelling or minor project - \$100.
		b. Other - \$150.
		(N13) Consultant Fee -per estimate from consultant
150-	TOTAL	

Note: Submit this form along with the forms submitted for the ACT - the "Wetlands Filing Fee Calculations Worksheet," and the "Notice of Intent Fee Transmittal Form."



Office of the Board of Assessors
Robbins Memorial Town Hall
Arlington, MA 02476
(781) 316-3050
Assessors@town.arlington.ma.us

Abutters List

Date: June 22, 2022

Subject Property Address: 429 MYSTIC ST Arlington, MA

Subject Property ID: 78-1-3

Search Distance: 100 Feet [CONSERVATION]

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to a single parcel within 100 feet.

BOARD OF ASSESSORS
TOWN HALL
ARLINGTON, MA 02476

Board of Assessors

Abutters List

Date: June 22, 2022

Subject Property Address: 429 MYSTIC ST Arlington, MA

Subject Property ID: 78-1-3

Search Distance: 100 Feet [CONSERVATION]

Prop ID: 77-1-11

Prop Location: 422 MYSTIC ST Arlington, MA

Owner: YEE TIMOTHY

Co-Owner:

Mailing Address:

422 MYSTIC STREET

ARLINGTON, MA 02474

Prop ID: 77-2-1.A

Prop Location: 0-LOT MYSTIC ST Arlington, MA

Owner: TOWN OF ARLINGTON CON COM

Co-Owner:

Mailing Address:

730 MASS AVE

ARLINGTON, MA 02476

Prop ID: 77-2-2

Prop Location: 423 MYSTIC ST Arlington, MA

Owner: LOWENSTEIN CARROLL M JR

Co-Owner:

Mailing Address:

423 MYSTIC ST

ARLINGTON, MA 02474

Prop ID: 78-1-2.A

Prop Location: 441 MYSTIC ST Arlington, MA

Owner: ARMENIAN CULTURAL

Co-Owner: FOUNDATION INC

Mailing Address:

441 MYSTIC ST

ARLINGTON, MA 02474

Prop ID: 78-1-3

Prop Location: 429 MYSTIC ST Arlington, MA

Owner: CAREY RICHARD F ETAL/TRS

Co-Owner: 429 MYSTIC STREET REALTY TRUST

Mailing Address:

429 MYSTIC ST

ARLINGTON, MA 02474

Prop ID: 78-2-3

Prop Location: 432 MYSTIC ST Arlington, MA

Owner: FITZPATRICK MICHAEL F

Co-Owner:

Mailing Address:

432 MYSTIC ST

ARLINGTON, MA 02474

Prop ID: 78-2-4

Prop Location: 428 MYSTIC ST Arlington, MA

Owner: IRANI SAROOSH

Co-Owner: KAGAL LALANA

Mailing Address:

428 MYSTIC STREET

ARLINGTON, MA 02474



Town of Arlington, Massachusetts

Certificate of Compliance: 34 Dudley Street (Continued)

Summary:

Documents: 34 Dudley Street COC Package

The Commission is expected to vote to continue this hearing to the August 4, 2022, meeting.

This public hearing will consider a Request for Certificate of Compliance by Joseph R. Porter of VTP Associates, Inc., for the completed redevelopment at 34 Dudley Street (DEP #091-0309).



Town of Arlington, Massachusetts

Notice of Intent: 34 Dudley Street (Continued)

Summary:

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